

Texas State Board of Examiners of Marriage and Family Therapists

Board Meeting

Saturday, January 25, 2020, 10 a.m.

Exchange Building, Room N-102

8407 Wall Street, Austin, TX 78754

MINUTES

Board Members Present:

Jennifer Smothermon, Professional Member

Michael Miller, Public Member

Ken Bateman, Professional Member

George Francis, Public Member

Anthony Scoma, Public Member

Richmond Stoglin, Professional Member

Lisa Merchant, Professional Member

Evelyn Husband-Thompson, Public Member

Staff Present:

Sarah Faszholtz

Georgia Norman

Tim Speer

Jeff Bulloch

Agenda Item 1 was to call the meeting to order at 10:18 am, by Ms. Smothermon, chair.

Agenda Item 2 was the approval of the minutes of the October 19, 2019, Board meeting. A motion was made by Mr. Francis to approve the minutes. The motion was seconded and passed.

Agenda Item 3 was the discussion regarding reports from the following board committees:

Mr. Miller gave the Ethics Committee report. The committee discussed about open complaints, compliance activities, Complaint Review Team activities and the board's Schedule of Sanctions / Aggravating and Mitigating Factors policy (also known as Penalty Matrix). The Committee also discussed clarification of 22 TAC §§801.44, 801.91 – 801.94, and 801.261, related to fitness to practice during times of impairment due to physical or mental health or use of medication, drugs or alcohol. A motion was made by Mr. Francis to approve the report. The motion was seconded and passed.

Dr. Merchant gave the Licensing Standards Committee report. The committee reviewed 5 cases, of which 5 were approved. The Committee also discussed amendments to 22 TAC §801.143 related to supervisor requirements, clarification of 22 TAC §801.236 that license renewal or late renewal is required while license is on inactive status; amendments to 22 TAC §§801.115 and 801.142 related to provisions for applicants who hold a license issued by another jurisdiction, amendments to 22 TAC §801.142 related to experience requirement of direct hours to couples or families, implementation of Senate Bill 1200, 86th Legislature, Regular Session, 2019, related to recognition of military spouse's out-of-state license and clarification of 22 TAC §§801.44, 801.91 – 801.94, and 801.261, related to fitness to practice during times of impairment due to physical or mental health or use of medication, drugs or alcohol. A motion was made by Mr. Francis to approve the report. The motion was seconded and passed.

Dr. Bateman gave the Professional Development Committee report. The committee also discussed the quarterly summary from the Texas State Board of Examiners of Marriage and Family Therapists' Jurisprudence Examination vendor and the board's Jurisprudence Examination. A motion was made by Mr. Francis to approve the report. The motion was seconded and passed.

Mr. Francis gave the Rules Committee report. The Committee discussed about recommendations to the Texas Behavioral Health Council for rules changes: amendments to 22 TAC §801.143 related to supervisor requirements; clarification of 22 TAC §801.236 that license renewal or late renewal is required while license is on inactive status; amendments to 22 TAC §§801.115 and 801.142 related to provisions for applicants who hold a license issued by another jurisdiction; amendments to 22 TAC §801.142 related to experience requirement of direct hours to couples or families; implementation of Senate Bill 1200, 86th Legislature, Regular Session, 2019, related to recognition of military spouse's out-of-state license, clarification of 22 TAC §§801.44, 801.91 – 801.94, and 801.261, related to fitness to practice during times of impairment due to physical or mental health or use of medication, drugs or alcohol, changes to the board's Schedule of Sanctions / Aggravating and Mitigating Factors policy (also known as Penalty Matrix) and the board's Complaint Review Team policy. A motion was made by Mr. Miller to approve the report. The motion was seconded and passed.

Agenda Item 4 was the discussion regarding changes to the board's Schedule of Sanctions / Aggravating and Mitigating Factors policy (also known as Penalty Matrix).

Agenda Item 5 was the discussion regarding the board's Complaint Review Team policy.

Agenda Item 6 was the discussion regarding final action on agreed order for case 1062-19-0058 MW. A motion was made by Mr. Miller to approve the order. The motion was seconded and passed.

Agenda Item 7 was the discussion regarding proposal to convene Fall 2020 board meetings at University of Mary Hardin-Baylor in Belton, Texas. To be determined at later date.

Agenda Item 8 was the discussion regarding update to applications and forms.

Agenda Item 9 was the discussion concerning board's strategies for communication to stakeholders and stakeholder engagement.

Agenda Item 10 was the discussion regarding recommendations from Council on Licensure, Enforcement & Regulation (CLEAR).

Agenda Item 11 was the report from the Board Chair concerning current challenges and accomplishments; lawsuits; interaction with stakeholders, state officials, and staff; committee appointments and functions; workload of board members; conferences; and general information regarding the routine functioning of the board. Ms. Smothermon gave the p

Agenda Item 12 was the report from the Interim Executive Director concerning program operations; customer service accomplishments, inquiries, and challenges; current and/or historical licensee statistics; media, legislative, and stakeholder contacts and concerns; workload processing; special projects assigned to interim executive director; and general information regarding the routine functioning of the licensure program. Ms. Faszholz gave the report.

Agenda Item 13 was the Management report from the Professional Licensing and Certification Unit Manager, concerning unit organization and staffing; program costs and revenue; current operational initiatives; customer service accomplishments and challenges; workload processing and statistical information; status of rulemaking within the unit; legislative and media contacts and tracking; and general information regarding routine unit functions. Mr. Speer gave the report.

Agenda Item 14 was the discussion regarding future priorities and activities of the board.

Agenda Item 15 was public comment. Two people addressed the board.

Agenda Item 16 was Executive Session: Consultation with board attorney pursuant to Government Code § 551.071 regarding pending or contemplated litigation and/or settlement offers. There was no executive session.

Agenda Item 17 was the discussion regarding pending or contemplated litigation or settlement offers. There was none.

Agenda Item 18 was announcements and comments not requiring committee action, such as statements regarding conferences and other recent or upcoming events.

Agenda Item 19 was adjournment. The meeting adjourned at 12:07 pm.